

State of Minnesota**District Court**

_____ County

Judicial District:	_____
Court File Number:	_____
Case Type:	Adoption – Stepparent

In the Matter of the Petition of:

_____, Petitioner/Parent

and

_____, Petitioner/Stepparent

To Adopt:_____
(child's current name)

**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
ORDER FOR JUDGMENT, AND
JUDGMENT AND DECREE OF
ADOPTION**

The above entitled stepparent adoption matter came on for hearing and was heard before the undersigned Judge of District Court on _____ [date] in closed court.
The following persons were present at the hearing: Parent: _____;
Stepparent: _____; Child: _____.

FINDINGS OF FACT

The Court, having read the file and being fully advised in the premises, finds as follows:

Petitioners

1. Petitioners' full names are _____ [parent's name] and _____ [stepparent's name].
2. Petitioners' respective dates of birth are _____ [parent's date of birth] and _____ [stepparent's date of birth].
3. Petitioners are husband and wife having been married on _____ [date of marriage] in the City of _____ [city], County of _____ [county], State of _____ [state].
4. Petitioners presently reside at _____ (street address) in the City of _____ (city), State of Minnesota, and have resided in Minnesota since _____ (date began residing in Minnesota), which [check one]:

☐ is for at least one year as required under Minnesota Statutes § 259.22, subd. 1.

☐ is not for at least one year, but the Court finds that it is in the best interests of the child to waive the one-year residency requirement and reduce such requirement to thirty (30) days as permitted under Minnesota Statutes § 259.22, subd. 1.

Child to be Adopted

5. Stepparent _____ [stepparent's name] desires to adopt the child name _____ [child's name], who was born on _____ [date of birth], in the City of _____ [city], County of _____ [county], State of _____ [state], and whose birth mother's name is _____ [name] and whose birth father's name is _____ [name].
6. The above named child owns no real estate, savings or bank accounts, bonds, securities or personal property other than clothing and personal effects of inconsequential market value, except as shown on attached schedule.
7. The child (check one) ☐ is or ☐ is not an Indian child(ren) and the Indian Child Welfare Act (ICWA) (check one) ☐ does or ☐ does not apply.
8. Stepparent _____ [stepparent's name] obtained physical custody of said child at the time of Petitioners' marriage on _____ [date of marriage] and, as required by law, three months have passed since the date Stepparent acquired physical custody of the child or the Court has waived that requirement as allowed under the law.
9. Said child has lived in Petitioners' home since the date of Petitioners' marriage.
10. A certified copy of the original birth certificate of said child is on file with the Court.

Adoption

11. The non-petitioning parent of the child has consented to the child's adoption by the stepparent and the parent's properly executed consent dated _____ [date consent signed] is on file with the Court.
12. If the child is age 14 or older, the child has consented to adoption by the stepparent and the child's properly executed consent dated _____ [date consent signed] is on file with the Court.
13. Certification that the Minnesota Fathers' Adoption Registry has been searched, and the results of that search, are on file with the Court.
14. All persons entitled to notice of this proceeding have received due and sufficient notice.
15. Pursuant to Minnesota Statutes § 259.41, subd. 1(b), an Adoption Home Study report and the child's parents' social and medical history are not required in this stepparent adoption matter because the adoption is by a person related to the child.
16. The Post-Placement Assessment report, unless waived by the Court, is on file with the Court. Even though the Post-Placement Assessment may have been waived, the background study report, including fingerprint results, is on file with the Court.

17. A Communication and Contact Agreement (*check one*) ☐ is or ☐ is not on file with the Court and, if one is on file, the Court finds that such agreement is in the child's best interests.
18. Petitioners' home and the child are suited to each other, Petitioners are fit and proper persons to have said child with reference to the suitability of their home and financial standings
19. It is in the best interests of the child that the child be adopted by Petitioner/Stepparent.
20. The name of the child should be changed from _____
[child's current name] to _____ [child's desired name].

CONCLUSIONS OF LAW

All allegations in the Petition have been proven, and it is in the best interests of the child that, from this date to all legal intents and purposes, the child should be the child of the Petitioners, the name of the child should be changed as stated above, and a decree of adoption should be issued.

ORDER FOR JUDGMENT

It is therefore ordered and decreed that the Petitioner's Petition for Stepparent Adoption is granted, that said child is the child of the Petitioners, that the child's name shall be as stated above, and that judgment and decree shall be entered accordingly.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: _____

BY THE COURT:

Judge of District Court

JUDGMENT AND DECREE OF ADOPTION

I certify that the above Findings of Fact, Conclusions of Law, and Order for Judgment and Decree constitute the Judgment and Decree of this Court.

The above-entitled stepparent adoption matter came on for hearing before the above-named Court on _____ [date], and the Court being fully advised in the premises did on _____ [date] duly make and file its findings and order granting the prayer of the Petitioners.

Now, pursuant to the said Order for Judgment, it is hereby adjudged and decreed that from and after this date, said child, having been given the name of _____ [desired name] by Petitioners, shall be deemed and taken to be the child and heir of the Petitioner/Parent and Petitioner/Stepparent in all respects as though born to the Petitioners.

It is further adjudged and decreed that the name of said child be, and the same is hereby legally changed to, and established as _____ [desired name].

Dated: _____

BY THE COURT:

Court Administrator

By Deputy